



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

10:00 A.M.

TUESDAY, December 13, 2005

The Senate met.

The Senate was called to order by Chief Clerk Marchant pursuant to Senate Rule 5 (4)(b).

The Chair, with unanimous consent, asked that the proper entries be made in the Journal.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Thursday, November 10, 2005.

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 36

The Chief Clerk makes the following entries dated Friday, December 9, 2005.

Read first time and referred:

Senate Bill 470

Relating to: open burning of solid waste, illegal storage or disposal of waste tires, and providing a penalty.

By Senator Brown; cosponsored by Representatives Molepske, Gunderson, Black, Lothian, Sherman, Seidel, Hines, Ott and Krawczyk.

To committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.**

Senate Bill 471

Relating to: operation of motorboats by persons who are at least 16 years of age and born after a certain date and the rental of motorboats and granting rule-making authority.

By Senators Olsen, Miller, Roessler and Darling; cosponsored by Representatives Hines, Freese, Townsend, Hundertmark, Black, Ott, Ainsworth, Bies, Berceau, Lehman, Krawczyk, Van Roy, Owens, Moulton, Jeskewitz and Molepske.

To committee on **Natural Resources and Transportation.**

The committee on **Senate Organization** reports:

[**MOTION**] To create the DNR Regulatory Reform Committee. The committee shall be a Senate select committee. The committee shall study the regulation of Wisconsin's natural

resources by the Department of Natural Resources, primarily focusing on the content and enforcement of pier regulations, wetlands regulations, and land use regulations impacting the rights of property owners and economic development in this state. The committee shall issue a report and recommendations, which may include a recommended process to facilitate the resolution of disputes between property owners and the Department of Natural Resources without litigation.

The committee shall hold hearings and take testimony at the discretion of the chairperson. At the discretion of the chairperson, the committee may hold up to 5 hearings in Wisconsin at locations outside of Madison. Committee members and the committee clerk may be reimbursed for actual and necessary expenses incurred in attending any hearing outside of Madison. Such reimbursement is not charged against the Senator's office account.

The Legislative Council Staff shall provide staff counsel to the committee, who shall attend every meeting of the committee and assist the committee clerk with the production of documents for the committee. The Sergeant-at-Arms shall provide staff support at any hearing held outside of Madison.

The committee shall consist of 3 Republican members and 2 Democratic members, all appointed by the Majority Leader. The two Democratic members shall be appointed based upon nomination by the Minority Leader.

No later than March 31, 2006, the committee shall issue its report and recommendations to the Chief Clerk for distribution to each Senator.

Ayes, 5 – Senators Schultz, Lasee, Kedzie, Robson and Hansen.

Noes, 0 – None.

Dale Schultz
Senate Majority Leader

State of Wisconsin

December 8, 2005

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Assembly Bill 202** be withdrawn from the joint committee on **Finance** and rereferred to the committee on **Senate Organization**. I have obtained the consent of the appropriate chairperson.

Sincerely,
ALAN LASEE
Senate President

**State of Wisconsin
Office of the Governor**

December 2, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HOVEN, ERICA, of Westby, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2009.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

**State of Wisconsin
Office of the Governor**

December 1, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GASS, ERIC, of Milwaukee, as a member of the Rural Health Development Council, to serve for the term ending July 1, 2006.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

**State of Wisconsin
Office of the Governor**

December 6, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KENNEDY, NANCY, of Mequon, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2007.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Job Creation, Economic Development and Consumer Affairs.**

Senate amendment 1 to **Senate Bill 404** offered by Senator Olsen.

The Chief Clerk makes the following entries dated Monday, December 12, 2005.

Read first time and referred:

Senate Bill 472

Relating to: prohibiting an insurer from requiring a certain vendor for repairing a motor vehicle.

By Senators Wirsch, Brown, Breske, Erpenbach, Hansen, Jauch, A. Lasee and Miller; cosponsored by Representatives Shilling, Kerkman, Petrowski, Albers, Fields, Freese, Kreuser,

Lehman, Lothian, Montgomery, Musser, Nelson, Owens, Sheridan, Sinicki, Van Roy, Vos and Zepnick.

To committee on **Agriculture and Insurance.**

Senate Bill 473

Relating to: terms of office of and vacancies in the office of county highway commissioner.

By Senators Brown and Olsen; cosponsored by Representatives Gronemus, Musser and Albers.

To committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.**

**State of Wisconsin
Office of the Governor**

December 8, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HOWARD, CAROL, of Shorewood, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 2006.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

**State of Wisconsin
Office of the Governor**

December 9, 2005

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BLAIR, KARLA, of Kaukauna, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2008.

Sincerely,

JIM DOYLE
Governor

Read and referred to committee on **Job Creation, Economic Development and Consumer Affairs.**

Senate Clearinghouse Rule 04-088

Relating to regulation of piers, wharves, boat shelters, boat hoists, boat lifts and swimming rafts in navigable waterways.

Submitted by Department of Natural Resources.

Report received from Agency, December 9, 2005.

Referred to committee on **Natural Resources and Transportation**, December 12, 2005.

Senate Clearinghouse Rule 05-032

Relating to hazardous waste management.

Submitted by Department of Natural Resources.

Report received from Agency, December 9, 2005.

Referred to committee on **Natural Resources and Transportation**, December 12, 2005.

Senate Clearinghouse Rule 05-072

Relating to motor vehicle emission limitations and tampering with motor vehicle air pollution control equipment.

Submitted by Department of Natural Resources.

Report received from Agency, December 9, 2005.

Referred to committee on **Energy, Utilities and Information Technology**, December 12, 2005.

Senate Clearinghouse Rule 05-083

Relating to a deer hunting season at Straight Lake Wilderness state park.
Submitted by Department of Natural Resources.
Report received from Agency, December 9, 2005.
Referred to committee on **Natural Resources and Transportation**, December 12, 2005.

Senate Clearinghouse Rule 05-085

Relating to sport fishing for yellow perch in Green Bay and its major tributaries and all other tributary streams, rivers and ditches to Green Bay, and to commercial fishing for yellow perch in zone 1 (Green Bay).
Submitted by Department of Natural Resources.
Report received from Agency, December 9, 2005.
Referred to committee on **Natural Resources and Transportation**, December 12, 2005.

Senate Clearinghouse Rule 05-086

Relating to deer hunting season and permit issuance regulation changes.
Submitted by Department of Natural Resources.
Report received from Agency, December 9, 2005.
Referred to committee on **Natural Resources and Transportation**, December 12, 2005.

Senate Clearinghouse Rule 05-088

Relating to establishing hunter education fees.
Submitted by Department of Natural Resources.
Report received from Agency, December 9, 2005.
Referred to committee on **Natural Resources and Transportation**, December 12, 2005.

Assembly Joint Resolution 36

To create section 1m of [article III of the constitution](#); relating to: requiring a photographic identification to vote, or register to vote, at the polls on election day (first consideration).
By Representatives Stone and Vukmir; cosponsored by Senator Leibham.
Read first time and referred to committee on **Labor and Election Process Reform**.

**INTRODUCTION, FIRST READING, AND
REFERENCE OF PROPOSALS**

Read first time and referred:

Senate Bill 474

Relating to: making various changes in the worker's compensation law, requiring the exercise of rule-making authority, and making appropriations.
By Senator Schultz.
To committee on **Labor and Election Process Reform**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

December 13, 2005

The Honorable, The Senate:

Pursuant to Senate Rule [46\(2\)\(c\)](#), I am writing to direct that **Senate Bill 464** be withdrawn from the committee on **Judiciary, Corrections, and Privacy** and rereferred to the

committee on **Natural Resources and Transportation**. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE
Senate President

**State of Wisconsin
Department of Veterans Affairs**

December 12, 2005

The Honorable, The Legislature:

Upon the direction of the Board of Veterans Affairs I am hereby withdrawing [Clearinghouse Rule 05-090](#), relating to the military funeral honors stipend program.

Sincerely,

JOHN A. SCOCOS
Secretary

Pursuant to Senate Rule [17 \(5\)](#), Representative Albers added as a coauthor of **Assembly Bill 746**.

**State of Wisconsin
Revisor of Statutes Bureau**

December 13, 2005

To the Honorable, the Senate:

The following rules have been published:

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
05-031	(part) 12-1-2005
04-077	12-1-2005
04-106	12-1-2005
05-018	12-1-2005
05-027	12-1-2005
05-065	12-1-2005
05-070	12-1-2005
05-076	12-1-2005

Sincerely,

GARY L. POULSON
Deputy Revisor

ADJOURNMENT

The Chair, with unanimous consent, asked that the Senate adjourn until Thursday, December 15, 2005 at 10:00 A.M.

10:01 A.M.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Bill 132
Senate Bill 171
Senate Bill 180

Report correctly enrolled on December 13, 2005.

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 294

Presented to the Governor on December 13, 2005.